

REMARKS

In the Office Action mailed July 11, 2005, the Examiner continued to reject independent claim 13 and dependent claims 14-25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,952,807 (herein '807) in view of U.S. Patent No. 6,401,828 (herein '828). Applicant respectfully disagrees.

The language of Claim 13 has been edited to delete unnecessary or inappropriate language (e.g., deletion of the term "oval"). Therefore, claim 13 is now broader in scope, but also easier to read and comprehend. Claims 19 and 25 have also been amended for purposes of clarity only.

As amended, the "hump" of claim 13 states in part: "...second end of each separate portion having an end wall that extends from the flat plate with the flat plate extending between the end walls such that a gap is provided between the end walls substantially adjacent connection of said legs of said hoof pad." The "gap" as now recited in claim 13 was previously identified as the "interruption". This gap, or interruption, is not shown or described in the prior art nor would the use of such a gap be obvious to one of skill in the art.

As detailed in the specification, the adhesion of snow and ice between a hoof pad and the sole of a hoof creates a safety and health hazard for the animal. See Page 1, 2nd Paragraph. To address this issue of snow and ice adhesion, prior art linings included a *continuous* elastic hump. In operation, this continuous hump would deform as the animal stepped down. Then, when the animal lifted its hoof, the hump would resiliently reform and "throw out" any adhered snow and ice. *Id.* The prior art linings, however, were not designed to last.

Prior art linings were found to quickly degrade as a result of the natural walking action of the animal. Specifically, as described in the specification, the natural walking motion of the

animal included a rolling of the hoof. An important aspect of this “rolling” was that the greatest weight was always placed on the tip of the pad. The pad, thus stressed, also placed so strong a load on the continuous hump that its useful life-time could be relatively short. See Page 2, 1st Paragraph. More specifically, over time the prior art continuous hump would become “extremely abraded” and lose its “resilient throw-out function”. Id.

To address this problem, the hump of the present invention “is provided ... with an interruption ...” Page 2, 3rd Paragraph. The advantage of the interruption is that, “[b]y this defined configuration of the hump ... it is avoided that the ends of the hump will be too strongly deformed if the hoof steps onto the ground.” See End of Page 4, Top of Page 5. This reduction in deformation, therefore, results in an increased usable life for the lining.

The Rafeld and Cattaneo references cited by the Examiner disclose precisely the type of prior art combination that the present invention was designed to overcome. Rafeld simply disclosed a hoof pad. Further, Cattaneo disclosed a “hump” that extended continuously around the lining. As such, the lining of Cattaneo does nothing to avoid the extreme abrasion and wear that is mitigated by the design of the present the lining.

Therefore, in view of the above amendment and remarks applicant submits that the application is now in proper form for allowance. Such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark D. Schneider', written over a horizontal line.

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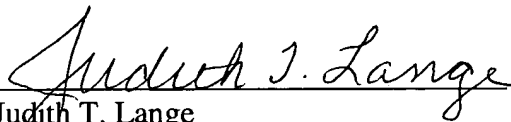
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